

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN THOMAS MOORE,

Plaintiff,

v.

SUSEN ROSSINO, M.D.

Defendant.

* CIVIL ACTION-LAW
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* Case No.: 2:14-cv-00870-DSC-MPK
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* Hon. David S. Cercone
* Magistrate Judge Maureen P. Kelly
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* ELECTRONICALLY FILED
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* JURY TRIAL DEMANDED
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MOTION TO STRIKE OR WITHDRAW

AND NOW, comes Plaintiff, Shawn Thomas Moore, by his attorney Louis J. Kroeck, and moves the Court for permission to strike or withdraw a portion of a prior pleading.

1. Plaintiff filed a Brief in Opposition to Defendant's Motion for Summary Judgment on August 7, 2017.

2. As an exhibit to that Brief in Opposition, Plaintiff himself prepared and signed his own Verified Statement in support of the Brief in Opposition. The Verified Statement was attached to the Brief in Opposition as Exhibit B.

3. A portion of Plaintiff's personal Verified Statement indicated that Dr. Rossino may have been coached by her counsel.

4. Plaintiff and his counsel retract the portion of Plaintiff's Verified Statement, No. 55 wherein it is alleged, "This was one of Dr. Rossino many statements from her deposition that she was coached into saying."

5. Any suggestion that Defendant's counsel coached any testimony is withdrawn and should be stricken. There is no evidence to support any such allegations.

WHEREFORE, Plaintiff requests that the Court grant this Motion for Strike.

Respectfully submitted,

s/Louis J. Kroeck

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